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EX PARTE OR LATE FILED

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November 4, 2004

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NOV - 4 2004

Federal Communications Commission
Office of Secretary

Via Courier

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: EX PARTE SUBMISSION
WT Docket 03-66; Amendment of Parts 1, 21, 73, 74, and 101 of the
Commission's Rules to Facilitate the Provision of Fixed and Mobile
Broadband Access, Educational and Other Advanced Services in the
2150-2162 and 2500-2690 GHz Bands**

Dear Ms. Dortch:

On November 3, 2004, Nicholas Mastroilli and Henry Zachs, each of NY3G Partnership ("NY3G"), Bradley Holmes, a consultant, and Bruce Jacobs, counsel for NY3G, met with John Muleta, Uzoma Onyeije, David Redl, John Schauble, and Nancy Zaczek, regarding the above-referenced proceeding.

NY3G talked about its current efforts to provide wireless broadband service to the New York City area. The parties discussed the proposals in the Commission's *Further Notice of Proposed Rulemaking*, and NY3G's ongoing negotiations with Trans Video Communications, Inc., the grandfathered ITFS licensee in New York City. The parties also discussed the proposals and issues that NY3G had previously raised in this proceeding, including the assignment of low-power channels to MMDS licensees and high-power channels to grandfathered ITFS licensees and TVC's inefficient use of spectrum.

Attached is a copy of the diagram discussed at the meeting.

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Please direct any questions regarding this matter to the undersigned.

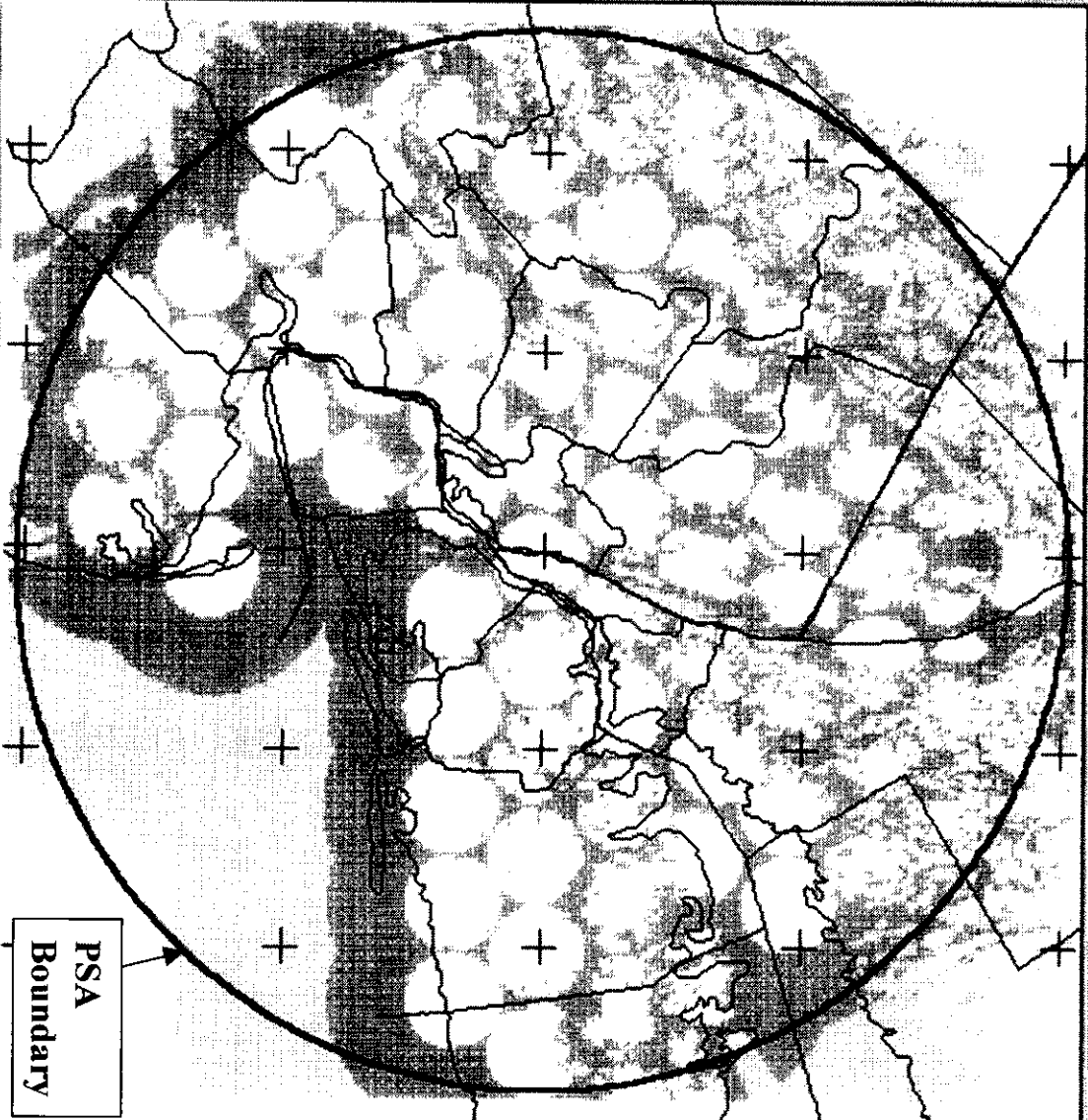
Very truly yours,



Tony Lin
Counsel for NY3G Partnership

Attachment

cc: (without attachment)
John Muleta
Uzoma Onyeije
David Redl
John Schauble
Nancy Zaczek



1st: No server

2nd: No server

PSA
Boundary

MSITE\NY Two Way Fig 1.map

Prop. model: Free Space + RMD

Time: 60.0% Loc: 60.0%

Prediction Confidence Margin: 0.0dB

Climate: Continental Temperate

Groundcover: USGS:EDX

Atmospheric Abs.: none

K Factor: 1.333

RX Antenna: Type: OMNI

Height: 1.5 m AGL Gain: -2.16 dBd

Received power at remote

>	-70.0 dBmW
-80.0 to	-70.0 dBmW
-90.0 to	-80.0 dBmW
<	-90.0 dBmW

Min. receiver threshold level: -106.3 dBmW

Notes

2000 CENSUS POPULATION RESULTS:

Total within PSA:	16,794 K
>70 dBmW (yellow):	10,634 K (60.8%)
>80 dBmW (yellow, red):	15,243 K (90.8%)
>90 dBmW (yellow, red, blue):	15,816 K (90.2%)

Yellow corresponds to 250-DAM service

Red corresponds to 04-DAM service

Blue corresponds to 10-DAM service



Advanced Wireless Broadband Design

84-Site Coverage Analysis

FIGURE 1

May 20, 2004